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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/589,153

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Martinus Cornelus van den Aker

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EXAMINER

MORRISON, THOMAS A

ART UNIT

PAPER NUMBER

3653

NOTIFICATION DATE

DELIVERY MODE

04/28/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

10/589,153

Applicant(s)VAN DEN AKER, MARTINUS
CORNELUS**Examiner**

THOMAS A. MORRISON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-37 and 45--46 is/are pending in the application.
- 4a) Of the above claim(s) 45 and 46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 24-28 and 30-35, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,843,365 (Baker). **See annotated Fig. 1 of Baker below.**

Regarding claim 24, Figs. 1-16b disclose a method for transporting a sheet, comprising:

moving the sheet (unnumbered sheet in annotated Fig. 1 below) in a first direction by applying a first carrier (first carrier in annotated Fig. 1 below) which is movable in the first direction and which is capable of retaining the sheet by means of a surface force (e.g., friction), wherein a retainer area (area retained by first carrier in annotated Fig. 1 below) of the sheet is retained by the first carrier (first carrier in annotated Fig. 1 below) and a conveyance area (conveyance area in annotated Fig. 1 below) of the sheet projects with respect to the first carrier (first carrier in annotated Fig. 1 below);

conveying the sheet from the first carrier (first carrier in annotated Fig. 1 below) to a second carrier (second carrier in annotated Fig. 1 below) which is movable in a second direction and which is capable of retaining the sheet by means of a surface

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force (e.g., friction), wherein the sheet is put in a conveyance position (conveyance position in annotated Fig. 1 below) by the first carrier (first carrier in annotated Fig. 1 below), in which position the complete conveyance area overlaps the second carrier (second carrier in annotated Fig. 1 below); and

moving the sheet in the second direction by applying the second carrier (second carrier in annotated Fig. 1 below); wherein, continuously during the movement of the sheet in the first direction through to the conveyance position (conveyance position in annotated Fig. 1 below), guidance of a guidance area (area of sheet contacted by guiding means in annotated Fig. 1 below) of the sheet, which comprises at least a portion of the conveyance area (conveyance area in annotated Fig. 1 below) of the sheet, takes place by applying guiding means (guiding means in annotated Fig. 1 below), which guidance is cancelled only when the sheet has reached the conveyance position (conveyance position in annotated Fig. 1 below). **As shown in annotated Fig. 1 below, the “first carrier” includes the three right-most belts (15, 15 and 15) and the “guiding means” includes the one left-most belt (15). The retainer area is the area supported across the width of the first carrier. The conveyance area is the area of the sheet that projects to the left of the width of the first carrier. The guidance area is the area of the sheet that is supported across the width of the guiding means.**

Regarding claim 25, Figs. 1-16b disclose that the guiding means (guiding means in annotated Fig. 1 below) are capable of retaining the guidance area of the sheet (unnumbered sheet in annotated Fig. 1 below) by means of a surface force.

Regarding claim 26, Figs. 1-16b disclose that the guiding means (guiding means in annotated Fig. 1 below) are adapted to guaranteeing that the guidance area of the sheet and the retainer area of the sheet extend at a substantially equal level.

Regarding claim 27, Figs. 1-16b disclose that the guiding means (guiding means in annotated Fig. 1 below) are movable in the first direction.

Regarding claim 28, Figs. 1-16b disclose that, during the time that guidance of the guidance area of the sheet takes place, a speed at which the guiding means (guiding means in annotated Fig. 1 below) are moved is substantially equal to a speed at which the first carrier (first carrier in annotated Fig. 1 below) is moved.

Regarding claim 30, Figs. 1-16b disclose that the guidance area comprises a portion of the conveyance area of the sheet, which is a front portion in the direction.

Regarding claim 31, as best understood, Figs. 1-16b show a device for transporting a sheet comprising:

a movable first carrier (first carrier in annotated Fig. 1 below) which is adapted to moving sheets (unnumbered sheets in annotated Fig. 1 below) in a first direction and retaining sheets by means of a surface force (e.g., friction);

a movable second carrier (second carrier in annotated Fig. 1 below) which is adapted to moving sheets in a second direction and retaining sheets by means of surface force (e.g., friction), wherein the first carrier (first carrier in annotated Fig. 1 below) and the second carrier (second carrier in annotated Fig. 1 below) adjoin each other in a close-fitting fashion at the location of a conveyance region (conveyance area in annotated Fig. 1 below); and

guiding means (guiding means in annotated Fig. 1 below) for guiding a portion of sheets which are retained by the first carrier (first carrier in annotated Fig. 1 below), as far as in the conveyance region (conveyance area in annotated Fig. 1 below).

Regarding claim 32, as best understood, Figs. 1-16b show that the guiding means (guiding means in annotated Fig. 1 below) are adapted to retaining sheets by means of a surface force (e.g., friction).

Regarding claim 33, as best understood, Figs. 1-16b show that contacting areas of the first carrier (first carrier in annotated Fig. 1 below) and contacting areas of the guiding means (guiding means in annotated Fig. 1 below), which are adapted to contacting the sheets, are located on a substantially equal level. See, e.g., Fig. 4 of Baker.

Regarding claim 34, as best understood, Figs. 1-16b show that the guiding means (guiding means in annotated Fig. 1 below) are movable in the first direction.

Regarding claim 35, as best understood, Figs. 1-16b show that the guiding means (guiding means in annotated Fig. 1 below) comprise an endless conveyor belt.



2. Claim 29 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,843,365 (Baker). Slightly different elements are included in the rejection of claim 29 below.

Regarding claim 29, Figs. 1-16b disclose a method for transporting a sheet, comprising:

moving the sheet (unnumbered sheet in annotated Fig. 1) in a first direction by applying a first carrier (first carrier in annotated Fig. 1) which is movable in the first direction and which is capable of retaining the sheet by means of a surface force (e.g., friction), wherein a retainer area (area retained by first carrier in annotated Fig. 1) of the sheet is retained by the first carrier (first carrier in annotated Fig. 1) and a conveyance area (conveyance area in annotated Fig. 1) of the sheet projects with respect to the first carrier (first carrier in annotated Fig. 1);

conveying the sheet from the first carrier (first carrier in annotated Fig. 1 above) to a second carrier (second carrier in annotated Fig. 1) which is movable in a second direction and which is capable of retaining the sheet by means of a surface force (e.g., friction), wherein the sheet is put in a conveyance position (conveyance position in annotated Fig. 1) by the first carrier (first carrier in annotated Fig. 1), in which position the complete conveyance area overlaps the second carrier (second carrier in annotated Fig. 1); and

moving the sheet in the second direction by applying the second carrier (second carrier in annotated Fig. 1); wherein, continuously during the movement of the sheet in the first direction through to the conveyance position (conveyance position in annotated

Fig. 1), guidance of a guidance area of the sheet, which comprises at least a portion of the conveyance area (conveyance area in annotated Fig. 1) of the sheet, takes place by applying guiding means **(including the arrangement shown in Fig. 4 of Baker and the labeled “guiding means” in annotated Fig. 1)**, which guidance is cancelled only when the sheet has reached the conveyance position (conveyance position in annotated Fig. 1). **As shown in annotated Fig. 1, the “first carrier” includes the three right-most belts (15, 15 and 15) and the “guiding means” includes the one left-most belt (15) and the arrangement shown in Fig. 4. The retainer area is the area supported across the width of the first carrier. The conveyance area is the area of the sheet that projects to the left of the width of the first carrier.**

Also, the guiding means is movable in a first direction (i.e., the direction that the left-most belt 15 moves or the direction that the arrangement in Fig. 4 of Baker moves).

In addition, Figs. 1 and 4 of Baker show that cancellation of the guidance of the guidance area of the sheet takes place by realizing a speed difference between the portion of the guiding means shown in Fig. 4 of Baker and the first carrier (i.e., the three right-most belts in Fig. 1). Thus, all of the limitations of claim 29 are met.

3. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baker as applied to claim 35 above, and further in view of U.S. Patent No. 5,188,010 (Borchardt et al.). Regarding claim 36, as best understood, Figs. 1-16b of Baker show that the conveyor belt (left-most belt 15 in annotated Fig. 1 above) comprises at least two different types of areas, but does not explicitly disclose that at the location of one type of area a dimension of the conveyor belt (left-most belt 15 in annotated Fig. 1

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above) in a transverse direction is different than at the location of another type of area, as claimed.

Borchardt discloses that it is well known in the art that belts are made with tolerances in the width dimensions of such belts and outlines methods for minimizing such width tolerances. See, e.g., Abstract, col. 2, lines 3-6 and col. 4, lines 17-25. As such, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the apparatus of Baker with a belt that has some degree of width tolerance such that at the location of one type of area a dimension of the conveyor belt of Baker in a transverse direction (width) is different than at the location of another type of area, because width tolerance of belts is common in the art, as taught by Borchardt. Thus, all of the limitations of claim 36 are met by the cited combination of references.

4. Claim 37, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Baker as applied to claim 31 above, and further in view of U.S. Patent No. 5,282,528 (Hudson). Regarding claim 37, as best understood, Figs. 1-16b of Baker show a frame (16 or 18) for receiving a reel having a web which is destined to receive the sheets and to be connected to the sheets, but does not explicitly disclose a gluing device, as claimed. With regard to the recitation "a frame **for receiving a reel having a web which is destined to receive the sheets and to be connected to the sheets**" in claim 37, the bolded portion of this recitation is merely a statement of intended use that does not distinguish claim 37 from the prior art apparatus of Straessler. Likewise, in the recitation "a gluing device **for applying glue to the web**",

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the bolded portion of the recitation is merely a statement of intended use that does not distinguish claim 37 from the prior art apparatus of Baker. Baker discloses an apparatus that changes the direction that flat objects move using conveyors that divert such objects in different directions.

Similarly, Hudson discloses that it is well known in the art to utilize conveyors that divert objects in different directions in gluing machines. See, e.g., Fig. 1 and col. 2, line 52 of Hudson. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the conveyor arrangement of Baker in a gluing device, because Hudson discloses that it is common in the art to utilize similar direction changing arrangements in gluing devices. Thus, all of the limitations of claim 37 are met by the cited combination of references.

Response to Arguments

5. Applicant's arguments with respect to claims 24-37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS A. MORRISON whose telephone number is (571)272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodriguez can be reached on (571) 272-7097. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Saúl J. Rodríguez/
Supervisory Patent Examiner, Art
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